

REMARKS

Claims 1-16 are pending in the present application. Claims 1-12 and 15 have been amended and claims 13, 14, and 16 have been cancelled without prejudice in view of the restriction requirement. Reconsideration of the claim rejections is respectfully requested in view of the following remarks.

Drawing Objections

The reference character 300 has been removed from figure 3 and formal drawings including the corrected figure 3 have been submitted herewith to overcome the drawing objection identified by the Examiner on pages 2-3 of the Office Action.

Claim Objections

The punctuation of Claim 2 has been amended to overcome the objection identified by the Examiner on page 3 of the Office Action.

Claim Rejections – 35 U.S.C § 112

Claims 1-12 and 15 stand rejected under 35 U.S.C. § 112, second paragraph, for the reasons set forth on pages 3-4 of the Office Action. Claims 1-12, and 15 have been amended for clarity and to address the issues raised by the Examiner. Specifically with respect to claims 1 and 15, there is no relationship between “a sequence” on lines 4 and 2 because “a sequence” on line 2 is part of the preamble, whereas “a sequence” on line 4 is part of the body of the claim. Withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, is respectfully requested.

Claim Rejections – 35 U.S.C § 101

On page 4 of the Office Action, the Examiner states that “[c]laim 15 is rejected under 35 U.S.C. § 101 because it pertains to software *per se*”. This is incorrect because claim 15 as originally drafted, is claiming a machine-readable medium and not merely

software. In particular, as explained in MPEP 2106(IV)(B)(1)(a), a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. In any event, claim 15 has been amended for purposes of clarification.

Withdrawal of the rejection under 35 U.S.C. § 101, is respectfully requested.

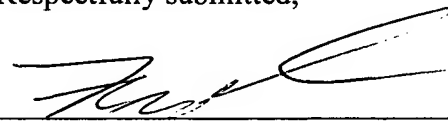
Claim Rejections – 35 U.S.C §102(a)

Claims 1-12, and 15 stand rejected under 35 U.S.C §102(a) as being anticipated by the article entitled, "Indexing Weighted-Sequences in Large Databases". However, the article does not qualify as prior art under §102(a) or §102(b) because the article was published less than one year before the filing date of the application, and because the article solely describes Applicants' own work, as indicated in the declaration jointly executed by the named inventors under 37 C.F.R. § 1.132, which is annexed to this response.

Accordingly, withdrawal of the rejection under 35 U.S.C. § 102(a), is respectfully requested.

Respectfully submitted,

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